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OFFICE OF PETITIONS

In re Application of :
Bernhard Muller :
Application No. 08/801,327 : **DECISION ON PETITION**
Filed: February 18, 1997 :
Attorney Docket No. 1-20161/A/CO :

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed May 18, 2005.

The petition is **GRANTED**.

The above-identified application was held abandoned after the Board of Patent Appeals and Interferences mailed a Decision on Appeal on September 25, 2002. The decision affirmed the Examiner's rejection on claims 2, 3, 5-10, and 16-19. However, the decision pointed out that claims 11 and 12 were objected to by the examiner, but contained allowable subject matter.

MPEP 1214.06 states that after a decision on appeal, if claims stand allowed, the applicant is not required to file a reply. Rather the examiner is to issue the application on the claims which stand allowed.

In view thereof, **the holding of abandonment is withdrawn.**

The matter is being forwarded to Group Art Unit 1751 for appropriate allowance of the application on claims 11 and 12.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions